IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
Civil Writ Petition No. 190 (M/S) of 2006

1. M/s Naveen Mava Bhandar
   Anaj Mandi 54 Fast Amber Talab
   Roorkee, District Haridwar through its
   Proprietor Sri Naveen Kumar
2. Sri Naveen Kumar
   S/o Sri Bhushan Lal
   R/0 348/ 30 West Amber Talab Roorkee
   District Dehradun ....Petitioner

Versus

1. M/s Bharat Sanchar Nigam Ltd. having its
   Office at 20 Ashok Road, New Delhi
   Service through its Managing Director.
2. M/s Bharat Sanchal Nigam Ltd.
   Uttaranchal, Telecom Circle Windlass complex Rajpur Raod.
   Dehradun Service through its
   Chief General Manager.
3. Sri Sanjay Gupta C/o
   M/s Agarwal Traders,
   Opposite Old Telephone Exchange
   Vikas Nagar, Dehradun
4. Civil Judge (Sr. Division), Dehradun ...Respondents

Sri Arvind Vashisth, learned counsel for the petitioners.
Sri Nand Prasad, learned Standing Counsel for the State.

Hon'ble B.C. Kandpal, J.

By way of this petition, the petitioners have prayed for a writ of certiorari quashing the impugned order dated 14.10.2005 passed by Civil Judge (Sr. Division), Dehradun by which the court below has issued notice to the defendants and fixed 07.11.2005 for filing the objection.

2. The petitioners have also prayed for the writ in the nature of mandamus commanding the respondent No. 2 i.e. Bharat Sanchar Nigam Ltd., Dehradun not to enter into the Franchisee Agreement with respondent No. 3 i.e. Sanjay Gupta, C/o M/s Agarwal Traders.

3. Heard learned counsel for the petitioners and perused the record.

4. Learned counsel for the petitioners has confined his submission only to the extent that the court below where the suit for injunction has been filed should be directed to decide the injunction application within such a stipulated time fixed by this Court.

5. The record reveals that the defendants/respondents have filed their objections before the court of Civil Judge (S.D.) Dehradun for obtaining ad interim injunction. The matter is therefore, ripe for the decision on the application filed by the petitioners who are the plaintiff before the court below for obtaining ad interim injunction.

6. In view of the aforesaid circumstances, the request made by the learned counsel for the petitioners appears to be quite innocuous.

7. The Civil Judge (S.D.), Dehradun where the injunction application is pending is directed to decide the application for ad interim injunction within a period of one month from the date of production of certified copy of this order.

8. With the aforesaid observation, the writ petition is finally disposed of.

(B.C. Kandpal, J.)

04.03.2006`
ASWAL